C. S. 104 (4)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 3005 /2004

PETITIONER

Naresh Kumar Thakur, aged about 37 years, son of Shri Chain Singh, Working as Assistant Teacher at Primary School Barapata, Tahsil – Jagdalpur, Distt. Bastar (Chhattisgarh)

P.R. No. 3034/04
Presented by Shri L. T. Phadke
1-9-04

VERSUS

RESPONDENTS

1. The State of Chhattisgarh, through : the Secretary, Department Aadim Jati Tatha Anusuchit Jati Vikas, Dau Kalyan Singh Bhawan, Mantralay, Raipur (C.G.)

2. The Director, Aadim Jati Tatha Anusuchit Jati Vikas Vibhag, Chhattisgarh, Raipur.

3. The Collector (Aadivasi Vikas Vibhag), Jagdalpur, District – Bastar (C.G.)

4. Assistant Commissioner, Aadim Jati Tatha Anusuchit Jati Vikas Vibhag, Collectorate Building, Jagdalpur (Chhattisgarh)

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31/8/04
Advt. to A. G. Bilaspur

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT / WRITS, DIRECTION / DIRECTIONS, ORDER / ORDERS IN THE NATURE OF CERTIORARI, MANDAMUS PROHIBITION ETC.

01) PARTICULARS ABOUT THE PETITIONER:-

As per the cause title.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

22

आदेश पत्रक

W P No. 3005/2004

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

7/10/2004

Shri Prashant Jaiswal, Advocate for the petitioner.

Shri V.V.S. Murthy, Dy. A.G. for the State.

Counsel for the petitioner submitted that connected W.P. No. 2353/2004 has been decided and therefore, this matter may be heard.

Heard.

Shri Jaiswal submits that the petitioner was transferred as per order dated 5-7-2003 Annexure P-1 from Barapata Vikas Khan Tokapal to Vikash Khand Bhanupratappur but he was not relieved for almost one year and now the petitioner has been again transferred from Vikash Khand Tokapal to Vikas Khand Darima as per Annexure P-3 dated 13-8-2004. He submitted that in similar writ petition bearing no. 1464/2004 order has been passed.

The petitioner was not relieved for about one year and now he has been again transferred as per Annexure P-3. The order Annexure P-3 is not sustainable.

Counsel submitted that the petitioner may be relieved as per Annexure P-1. He further submits that for the present he may be directed to make a representation before the competent authority.

Having considered the facts and circumstances of the case and material on record, in the opinion of this Court, ends of justice will be served if a direction is given that the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 10 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within six weeks from the date of receipt of the representation. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law. The petitioner be allowed to continue till the representation is decided.

With the aforesaid observations, this petition stands disposed of.

Consequently M.W.P.No. 2621/2004 also stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

देखिये

Petitioner